

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Klaus Richard Pawelzik  
Application No.: 10/594,051  
Filed: November 13, 2006  
Title: System and Device Implantable in  
Tissue of a Living Being for Recording  
and Influencing Electrical Bio-Activity

Art Unit: 3766  
Examiner: Pamela M. Bays

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

## AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for the above application.

## STATUS

2. Applicant is  
☒ a small entity.  
☐ other than a small entity.

## EXTENSION OF TERM

**NOTE:** Extension of Time in Patent Cases (Supplement Amendments) - if a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.

*If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of December 10, 1985 (1061 O.G. 34-35).*

**NOTE:** See 37 C.F.R. § 1.645 for extensions of time in interference proceedings, and 37 C.F.R. § 1.550(c) for ext. of time in reexamination proceedings.

## CERTIFICATE OF MAILING

☒ I hereby certify that this paper, along with any document referred to, is being filed with the U.S. Patent and Trademark Office via EFS-Web on October 30, 2009.

Sharon Blore

(type or print name of person mailing paper)



Signature of person certifying

☐ transmitted by facsimile to the Patent and Trademark Office, facsimile number: \_\_\_\_\_

**\*WARNING:** Each paper or fee filed by Express Mail **must** have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. § 1.10(b).  
"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136 apply.

(complete (a) or (b), as applicable)

- (a) ☐ Applicant petitions for an extension of time under 37 C.F.R. § 1.136. (fees: 37 C.F.R. § 1.17 (a)(1)-(4) for the total number of months checked below:

Extension (months)	Fee for large entity	Fee for small entity
<input type="checkbox"/> one month	\$ 130.00	\$ 65.00
<input type="checkbox"/> two months	\$ 490.00	\$ 245.00
<input type="checkbox"/> three months	\$ 1,110.00	\$ 555.00
<input type="checkbox"/> four months	\$ 1,730.00	\$ 865.00

Fee: \$

If an additional extension of time is required, please consider this a petition therefor.

- ☐ An extension for \_\_\_\_\_ months has already been secured. The fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$

OR

- (b) ☒ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

#### FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. §1.16(b)-(d) has been calculated as shown below:

Claims Remaining After Amendment	Highest No. Previously Paid For	Add'l claims	Small Entity Rate	Additional Fee	OR	Large Entity Rate	Additional Fee
Total	Minus	=	x \$25 =	\$		x \$50 =	\$
INDEPENDENT	Minus	=	x \$105 =	\$		x \$210 =	\$
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM			+ \$185 =			+ \$370 =	

- (a) ☒ No additional fee is required.  
(b) ☐ Total additional fee required is \$ \_\_\_\_\_

**WARNING:** "After final rejection or action ( § 1.113) amendments may be made cancelling claims or complying with any requirement of form which has been made." 37 C.F.R. § 1.116(a) (emphasis added).

#### FEE PAYMENT

5. ☐ Attached is a check in the sum of \$\_\_\_\_\_  
☐ Charge Account No. 13-0760 the sum of \$\_\_\_\_\_.  
6. ☒ If any additional extension and/or fee is required, charge Account No. 13-0760.


AND/OR

- ☒ If any additional fee for claims is required, charge Account No. 13-0760.

Registration: **45,515**

Telephone: **814-870-7664**

Customer No. **27,101**

  
Signature of Practitioner

**Jon L. Woodard**

Type Name of Practitioner

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